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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9
10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 ANTHONY LEWIS HAMELIN,

14 Defendant.

15 Case No. 2:23-cr-00111-GMN-DJA

16 **STIPULATION TO STAY
TRANSPORT ORDER**
(First Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
United States Attorney, and Jacob Haile Operskalski, Assistant United States Attorney, counsel
18 for the United States of America, and Rene L. Valladares, Federal Public Defender, and Joanne
L. Diamond, Assistant Federal Public Defender, counsel for Anthony Lewis Hamelin, that the
19 order for a psychological evaluation under 18 U.S.C. 4242 be stayed pending further order from
20 the Court.

21
22 The Stipulation is entered into for the following reasons:

23 1. After defense filed a Notice of Insanity Defense (ECF No. 17), the government
filed a Motion for Psychological Evaluation (ECF No. 24). On December 1, 2023, the Court
24 granted the government's request and ordered Mr. Hamelin transported to a BOP facility for a
25 psychological evaluation consistent with 18 U.S.C. 4242.
26

1 2. Since that time, the parties have entered into negotiations to resolve this case. If
2 resolved, a psychological evaluation would no longer be necessary and any transport to a BOP
3 facility would only further delay this proceeding.

4 3. The parties are therefore requesting that the Court stay its order for a
5 psychological evaluation (ECF No. 30) to allow for negotiations to conclude. Should
6 negotiations fail, the parties will file another stipulation to reinstate the order.

7 4. Mr. Hamelin is in custody and agrees with this request to stay the Court's order
8 (ECF No. 30).

9 5. Any delay cause by this stipulation is excluded pursuant to 18 U.S.C. Section
10 3161(h)(7)(A). This stipulation serves the ends of justice by ensuring that the parties can have
11 sufficient time to negotiate a proposed resolution to the case.

12 This is the first stipulation to stay the order filed herein.

13 DATED: February 20, 2024.

14 RENE L. VALLADARES
15 Federal Public Defender

16 By /s/ Joanne L. Diamond
17 JOANNE L. DIAMOND
18 Assistant Federal Public Defender

19 JASON M. FRIERSON
20 United States Attorney

21 By /s/ Jacob Haile Operskalski
22 JACOB HAILE OPERSKALSKI
23 Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
ANTHONY LEWIS HAMELIN,
Defendant.

Case No. 2:23-cr-00111-GMN-DJA

ORDER

IT IS THEREFORE ORDERED the Order (ECF No. 30) granting a psychological evaluation and transport to a BOP facility be **STAYED** pending further order of the Court. Mr. Hamlin shall not be transported to a BOP facility for psychological evaluation at this time. Any delay cause by this stipulation is excluded pursuant to 18 U.S.C. Section 3161(h)(7)(A). This stipulation serves the ends of justice by ensuring that the parties can have sufficient time to negotiate a proposed resolution to the case.

DATED this 21st day of February, 2024.

UNITED STATES MAGISTRATE JUDGE
